

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

VERITAS OPERATING CORPORATION, a
Delaware corporation,

Plaintiff,

v.

MICROSOFT CORPORATION, a Washington
corporation,

Defendant.

MICROSOFT CORPORATION, a Washington
corporation,

Counterclaim Plaintiff,

v.

VERITAS OPERATING CORPORATION, a
Delaware corporation, and VERITAS
SOFTWARE CORPORATION, a Delaware
corporation,

Counterclaim Defendants.

CASE NO. C06-0703-JCC


ORDER

This matter comes before the Court for review of the Special Master's Report and Recommendation on Veritas Operating Corporation's Motion for Summary Judgment that Microsoft is Not Entitled to Recover Damages on its Claim for Infringement of U.S. Patent No. 5,888,147 (Dkt. No. 393). The Court has reviewed de novo the Special Master's Report and Recommendation ("147 ORDER – 1

1 Damages R&R”), the parties’ respective objections and responses thereto (Dkt. Nos. 406, 411), the
2 briefing and exhibits presented to the Special Master in the first instance, and all other relevant documents
3 in the case file. The Court has determined that oral argument is not necessary.

4 The Court hereby APPROVES and ADOPTS the Special Master’s ‘147 Damages R&R in its
5 entirety. Accordingly, the Court hereby GRANTS Veritas’ Motion for Summary Judgment That
6 Microsoft is Not Entitled to Recover Damages on Its Claim for Infringement of U.S. Patent No.
7 5,588,147 (Dkt. No. 215).

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9 SO ORDERED this 11th day of March, 2008.

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12 John C. Coughenour
13 UNITED STATES DISTRICT JUDGE
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